

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended.

Claims 1 to 30 are pending in the application. Claims 1 to 26 are allowed. Claims 27 and 28 are rejected. Claims 27 and 28 are amended herein. No claims have been cancelled and dependent claims 29 and 30 have been added by this amendment.

Before proceeding with a discussion of the specific rejections set forth in the Office Action, Applicant would like to make of record, two telephone communications which took place on June 12 and June 20, 2007 between Applicant's representative and Examiner Weiskopf. Agreement was reached in these telephone communications that the Zeglin reference did not disclose the limitation of claim 28 related to the energetic control level of the leg being used to control system energy within the robotic locomotion device.

Applicant would like to thank the Examiner for her courtesy in the telephone exchanges.

Proceeding now with a discussion of the rejections set forth in the Office Action, the Examiner rejects Claims 27 and 28 under 35 U.S.C. §102(b) as being anticipated by Zeglin.

In view of the telephone exchanges with the Examiner, Applicant has amended claim 27 to recite "... identifying energetic control elements of the leg to control system energy within the robotic locomotion device" Thus, Applicant respectfully submits that claim 27, as amended, is patentably distinct over the cited reference.

Applicant has re-written claim 28 in independent form including the limitation of base claim 27. Applicant thus submits that claim 28 is patentably distinct over the cited reference since the reference neither describes nor suggests "... determining an energetic control level of the leg to control system energy within the robotic locomotion device ..." as called for in Claim 28.

Applicant has also added new claims 29 and 30 which depend from claims 28 and 27, respectively. Applicants submit that these claims are also patentably distinct over the cited references of record in this case.

In view of the above Amendment and Remarks, Applicants submit that Claims 1-30 and the entire case are now in condition for allowance and should be sent to issue and such action is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

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Respectfully submitted,

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